IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.50032 of 2007
SABITA DEVI & ANR
Versus
THE STATE OF BIHAR
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3. 2.5.2008 Heard the parties.

The death has occurred and the post-mortem reveals the cause of death by strangulation, although, the dead body bore marks of injury caused by blunt substance. In the FIR it has been alleged that the deceased was given blows of Lathis (sticks).

The petitioners are ladies and it is contended that they have been named in the FIR in retaliation of killing of the husband of the petitioner no.1 by the deceased.

In the event the death was caused by the blows given by sticks the matter would have been different, but inasmuch as the cause of death is strangulation. I do not think that it would be proper to allow the application for anticipatory bail of the petitioners more so, when the deceased is said to have caused the murder of the husband of the petitioner no.1.

The application is rejected.

(Barin Ghosh)

HR

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